

ASSEMBLY BILL

No. 2011

Introduced by Assembly Member Firebaugh

February 13, 2004

An act to add Section 1272.2 to the Penal Code, relating to bail.

LEGISLATIVE COUNSEL'S DIGEST

AB 2011, as introduced, Firebaugh. Criminal procedure: release on bail.

Existing law provides that if a general verdict is rendered against the defendant, or a special verdict is given, he or she must be remanded, if in custody, or if on bail he or she shall be committed to the proper officer of the county to await the judgment of the court, unless the court concludes after considering specified circumstances that the defendant should remain out on bail. After a conviction for an offense not punishable by death, including a conviction following a plea, a defendant applying for probation or appealing may be admitted to bail as a matter of court discretion, as specified.

This bill would require a court to consider the same circumstances that a court must consider after a verdict against a defendant in determining whether to allow a defendant who is not punishable by death and who is not applying for probation or pending appeal to be admitted to or to remain out on bail after a plea of guilty or nolo contendere.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1272.2 is added to the Penal Code, to
2 read:
3 1272.2. Except as provided otherwise in this chapter, if a
4 defendant enters a plea of guilty or nolo contendere, the court shall
5 consider the factors listed in Section 1166 in determining whether
6 to allow a defendant to be admitted to or to remain out on bail.

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